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**National Association of Federally-Insured Credit Unions**

## **MEMORANDUM OF EX PARTE COMMUNICATION**

**DOCKET:** CG Docket No. 17-59, WC Docket No. 17-97

**DATE OF EX PARTE COMMUNICATION:** May 28, 2019

**SUBJECT:** Draft Declaratory Ruling and Third Further Notice of Proposed Rulemaking

### **PARTICIPANTS:**

**FCC:**

Zenji Nakazawa, Public Safety and Consumer Protection Advisor

**NAFCU:**

Ann Kossachev, Director of Regulatory Affairs

Mahlet Makonnen, Regulatory Affairs Counsel

**MEMO PREPARED BY:** Mahlet Makonnen, Regulatory Affairs Counsel, NAFCU

NAFCU met with FCC staff to share credit union concerns regarding the draft call blocking *Declaratory Ruling*<sup>1</sup> currently scheduled for the Commission's vote on June 6, 2019. NAFCU emphasized that credit unions support the FCC's efforts to curb illegal robocalls, but urged the Commission to provide safeguards to protect legitimate business communications from being swept under this ruling. NAFCU explained how in its current form, the draft *Declaratory Ruling* would harm consumers by resulting in the erroneous blocking of lawful calls.

NAFCU informed FCC staff that if the *Declaratory Ruling* goes into effect as is, credit unions and their members may not be aware if their calls are erroneously blocked, which could lead to consumers to miss time-sensitive notifications. Accordingly, NAFCU urged the Commission to seek comment on the proposals in the draft *Declaratory Ruling* to narrowly tailor the ruling to target illegal robocalls. Relatedly, NAFCU expressed the need to clarify the current draft ruling to require sufficient notice of blocking to the caller and the call recipient, as well as a mechanism for prompt unblocking of any erroneously blocked numbers.

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<sup>1</sup> *Advanced Methods to Target and Eliminate Unlawful Robocalls*, Draft Declaratory Ruling and Third Further Notice of Proposed Rulemaking, CG Docket No. 17-59, WC Docket No. 17-97, FCC-CIRC1906-01 (May 16, 2019) (*Draft Declaratory Ruling*).